

ERIC A. LIEPINS  
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PROPOSED ATTORNEY FOR DEBTOR

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

|                    |   |               |
|--------------------|---|---------------|
| IN RE              | § |               |
|                    | § |               |
| BBL BUILDERS, L.P. | § | CASE 14-41880 |
|                    | § |               |
| DEBTOR             | § |               |

APPLICATION FOR AUTHORITY  
TO EMPLOY SPECIAL COUNSEL FOR DEBTOR

**NO HEARING WILL BE CONDUCTED ON THIS MOTION UNLESS A WRITTEN OBJECTION OR REQUEST FOR HEARING IS FILED WITH THE UNITED STATES BANKRUPTCY CLERK, 660 N. CENTRAL EXPRESSWAY, THIRD FLOOR, PLANO, TEXAS 75074, WITHIN TWENTY-ONE (21) DAYS FROM THE DATE OF THE FILING OF THIS MOTION, UNLESS THE COURT, SUA SPONTE, OR UPON TIMELY APPLICATION OF A PARTY IN INTEREST, SHORTENS OR EXTENDS THE TIME FOR FILING SUCH OBJECTION OR REQUEST FOR HEARING.**

**IF NO OBJECTION OR REQUEST FOR HEARING IS TIMELY FILED, THE MOTION SHALL BE DEEMED TO BE UNOPPOSED AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT. THE COURT RESERVES THE RIGHT TO SET ANY MATTER FOR HEARING.**

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

COMES NOW, BBL Builders, L.P., Debtor in the above styled and numbered cause, and pursuant to 11 U.S.C. § 327 files this its Application for Authority to Employ Counsel for Debtor

("Application"), requesting the Court to enter an Order authorizing Debtor to employ Nixon Jach Hubbard, PLLC, ( the "Firm"), as counsel for the Debtor, and in support thereof would respectfully show unto the Court as follows:

1. On or about October 14, 2016 Debtor filed its Voluntary Petition for relief under Chapter 11 of the United States Bankruptcy Code and has continued in possession of its property and operation of its business as a Debtor-in-Possession pursuant to §§ 1107 and 1108 of the Bankruptcy Code.

2. The Debtor is a construction company. In this area the Debtor has need for attorneys knowledgeable in the construction law area.

3. The Firm has been chosen by Debtor in that its attorneys are experienced in construction law and have worked for the Debtor pre-bankruptcy on a number of construction law matters.

4. Pursuant to Bankruptcy Rule 2014(a), the Affidavit of Anthony Jach is attached hereto as Exhibit "A" and attests that as of the date of Debtor's filing of its Voluntary Petition, the Firm did not hold or represent any interest adverse to the interest of the Debtor or this Estate and has not and does not represent any creditors or parties in interest in this case.

5. The Firm has not received a retainer.

6. The Firm has agreed to represent the Debtor on the terms set forth in this Application. The compensation to be paid to the Firm shall be based upon the following hourly rates:

|               |       |
|---------------|-------|
| Michael Nixon | \$350 |
| Anthony Jach  | \$350 |

|                |       |
|----------------|-------|
| Curtis Hubbard | \$325 |
| Jeff Rusthoven | \$275 |
| Niel Smith     | \$220 |

These hourly rates are those regularly charged by the Firm in matters by the respective partners, associates, paralegals, and legal assistants for legal services rendered in similar construction law matters. The hourly rates may be modified by the Firm in the ordinary course of their business. The charges for such services are fair and reasonable and within the normal range for services rendered in similar cases within the Eastern District of Texas. The Debtor has agreed to reimburse the Firm for all reasonable out-of-pocket expenses incurred on the Debtor's behalf.

7. Debtor believes the employment of the Firm as counsel is in the best interest of the bankruptcy estate. Further, the Debtor believes it is necessary to retain them immediately for the purpose of orderly liquidating the assets, reorganizing the claims of the Estate and determining the validity of claims asserted in the Estate.

WHEREFORE, PREMISES CONSIDERED, Debtor, BBL Builders, L.P. , respectfully prays this Honorable Court enter an Order approving the employment of Nixon Jach Hubbard, PLLC, as special counsel for Debtor effective as of October 14, 2016, under the terms and conditions contained herein, and for such other and further relief, at law or in equity, to which Debtor may show itself justly entitled.

Respectfully submitted,

ERIC A. LIEPINS, P.C.  
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BY: /s/ Eric Liepins  
ERIC A. LIEPINS, SBN 12338110

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was sent to all to all creditors and the United States Trustee, 110 College, Suite 300, Tyler, Texas 75702 United States mail on this the 3rd day of November 2016.

/s/ Eric Liepins  
Eric A. Liepins

EXHIBIT "A"

AFFIDAVIT PURSUANT TO BANKRUPTCY RULE 2014(a)

STATE OF TEXAS           §

COUNTY OF DALLAS       §

BEFORE ME, the undersigned authority, on this day personally appeared, Anthony Jach, being known to me to be the person whose name is subscribed to this Affidavit, and after having been duly sworn, did depose and state the following:

1. "I am a member with the law firm of Nixon Jach Hubbard, PLLC (hereinafter referred to as the "Firm"). I am fully authorized to make this Affidavit on behalf of the Firm. This Affidavit is made and based upon personal knowledge of the matters contained herein, and is true and correct.

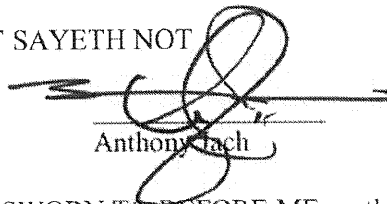
2. This Affidavit is made pursuant to Bankruptcy Rule 2014(a) and is intended to disclose the Firm's representation of and connections with the Debtor herein and creditors or other parties-in-interest in this case.

3. Prior to making this Affidavit, the Firm conducted an internal conflicts check designed to identify past or present relationships with any of the foregoing parties.

4. Prior to the engagement of the Firm to represent the Debtor in this proceeding, the Firm had previously represented the Debtor in several litigation and non litigation matters concerning the Debtor's business operations in the construction law area. The Firm does not represent any creditors or parties in interest in this case, their respective attorneys and accountant, the United States Trustee, or any person employed in the office of the United States Trustee, and does not represent any other interest adverse to the Estate of the Debtor.

5. The Firm has not been paid a retainer.

FURTHER AFFIANT SAYETH NOT



Anthony Jach

SUBSCRIBED AND SWORN TO BEFORE ME on this the \_\_\_ day of November 2016, by the said Anthony Jach, to certify which witness my hand and official seal.

/s/ Martha Esquino\_\_\_\_\_  
Notary Public, in and for the  
State of Texas